IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1649 OF 2003

Shabbir Ahmed Ansari .... Petitioner

versus

Vice Chancellor & ors. ... Respondents.

Shri R.M.Momin for petitioner
Shri R.V.Govilkar for Respondent no.1.
Shri P.I.Khemani AGP for Respondent no.3.
None for Respondent no.2.

CORAM; V.G. PALSHIKAR &
V.R. KINGAONKAR, JJ.

DATED; 10TH APRIL, 2006.

P.C:

1. By this petition, the petitioner has challenged the action of the respondent in not admitting the petitioner's daughter and thereafter not permitting her to appear for the examination. This was done on a special ground that the institution to which the petitioner sought admission is a minority institution and the law regarding reservation for backward classes is not applicable to the institutions owned and managed by minorities. We do not feel it necessary to decide this larger question in the present case as primafacie we are of the opinion that the petitioner's daughter was entitled for the admission, as also for the

subsequent examination for which she has taken admission with reference to clause 4.5.1 of the Maharashtra State CET Regulations.

2. By an interim order of this court, the candidate was allowed to appear for the examination and the result is withheld. in our opinion, interest of justice would be met by disposing of this petition, without deciding any question of law by directing the respondent to declare the result of the petitioner's daughter forthwith, in any event within two weeks from the date of this order. Petition accordingly disposed of. Accordingly, Civil Application also stands disposed of.

3. Parties to act on an authenticated copy of this order.

...